

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
AMNESTY INTERNATIONAL USA, CENTER :  
FOR CONSTITUTIONAL RIGHTS, INC., and :  
WASHINGTON SQUARE LEGAL SERVICES, :  
INC., :

Plaintiffs,

v.

CENTRAL INTELLIGENCE AGENCY, :  
DEPARTMENT OF DEFENSE, :  
DEPARTMENT OF HOMELAND SECURITY, :  
DEPARTMENT OF JUSTICE, DEPARTMENT :  
OF STATE, and THEIR COMPONENTS, :

Defendants.  
----- X

**ECF CASE**

07 CV 5435 (LAP)

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that, upon the accompanying (1) Memorandum of Law in Support of the Department of Homeland Security's Motion for Partial Summary Judgment; (2) Declaration of Brian M. Feldman, dated November 30, 2007; (3) Declaration of Catrina M. Pavlik-Keenan, dated November 30, 2007; (4) Declaration of Shari Suzuki, dated November 30, 2007; (5) Declaration of Nicole Bertucci, dated November 30, 2007; (6) Declaration of Sandy Ford Page, dated November 30, 2007; and (7) Declaration of Vania T. Lockett, dated November 29, 2007, defendant the Department of Homeland Security, by and through its attorney, Michael J. Garcia, United States Attorney for the Southern District of New York, will move this Court for partial summary judgment in the above-captioned action pursuant to Rule 56 of the Federal Rules of Civil Procedure.

Dated: New York, New York  
November 30, 2007

MICHAEL J. GARCIA  
United States Attorney for the  
Southern District of New York,  
Attorney for Defendant  
Department of Homeland Security

By: /s/ Brian M. Feldman  
BRIAN M. FELDMAN  
JEANNETTE A. VARGAS  
Assistant United States Attorneys  
EMILY E. DAUGHTRY  
Special Assistant United States Attorney  
86 Chambers Street, Third Floor  
New York, New York 10007  
Telephone Nos. (212) 637-2777  
Facsimile Nos. (212) 637-2717

TO: Kyle M. DeYoung, Esq.  
WILMER CUTLER PICKERING HALE AND DORR LLP  
1875 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006  
Lead Counsel for Plaintiffs

**CERTIFICATE OF SERVICE**

I, Brian M. Feldman, an Assistant United States Attorney for the Southern District of New York, hereby certify that on November 30, 2007, I caused a copy of the (1) Notice of Motion, dated November 30, 2007; (2) Memorandum of Law in Support of the Department of Homeland Security's Motion for Partial Summary Judgment; (3) Declaration of Brian M. Feldman, dated November 30, 2007; (4) Declaration of Catrina M. Pavlik-Keenan, dated November 30, 2007; (5) Declaration of Shari Suzuki, dated November 30, 2007; (6) Declaration of Nicole Bertucci, dated November 30, 2007; (7) Declaration of Sandy Ford Page, dated November 30, 2007; and (8) Declaration of Vania T. Lockett, dated November 29, 2007, and accompanying exhibits, to be served by ECF and First Class Mail upon the following:

Kyle M. DeYoung, Esq.  
Wilmer Cutler Pickering Hale and Dorr LLP  
1875 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006

Dated: New York, New York  
November 30, 2007

/s/ Brian M. Feldman  
BRIAN M. FELDMAN  
Assistant United States Attorney  
Telephone No. (212) 637-2777  
Facsimile No. (212) 637-2717